

REMARKS

The present amendment is in response to the final official action mailed on August 28, 2003. Applicants have currently amended independent claims 11, 16 and 21. Thus, claims 11-24, as amended, are now pending and presented for reconsideration in view of the following remarks.

Reexamination and reconsideration of the above-identified application, pursuant to and consistent with 37 C.F.R. § 1.112, and in light of the amendments and remarks that follow, are respectfully requested. Because the present claims are believed to be in condition for allowance over the newly-cited prior art, good cause exists for the entry of this amendment in accordance with 37 C.F.R. § 1.116.

Claims 11-24 were rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 6,219,839 to Sampsell ("Sampsell") in view of U.S. Patent No. 6,177,931 to Alexander et al. ("Alexander"). In response, Applicants have now amended the claims to clarify that the first and second on-screen displays are superimposed on (e.g., covering or overlaying in some fashion) the television program being received by the receiver and the external storage device, respectively. Support for these amendments can be found in the application, for instance at: page 7, lines 15-17 and Fig. 2; and page 13, line 21 to page 14, line 7 and Fig. 5.

This is not the case with either Sampsell or Alexander, neither of which alone or in combination, disclose, teach or suggest generating different on-screen displays superimposed on either the television program being received or the television program being reproduced from an external storage device.

Sampsell, which displays a single-screen, universal grid electronics resources guide ("ERG"), does not disclose that

the on-screen display processor generates the first on-screen display and the second on-screen display on different screens as claimed. Sampsell's approach to displaying description information about live or recorded programs is to display both the program sources and their program descriptions on one universal screen. This approach, however, requires different and further processing of guide data, not required by the presently claimed invention, to display the program information about the program in one master on-screen guide or ERG.

Sampsell does not address the problem solved by the claimed invention of presenting consistent, but identifiably separate, screens of television program descriptions superimposed on the television program being received by the receiver and separately on the television programming being reproduced and transmitted by the external storage device "so that the user can easily discriminate the received program explanation screen 50 on broadcast data being displayed in realtime from the reproduced program explanation screen 70." (Application, p. 14 (emphasis added).)

Alexander, on the other hand, discloses providing a single EPG UI screen that includes a picture-in-picture (PIP) window and other advertising windows. While Alexander discloses separate "windows," they are all on the same screen and it does not disclose the display of a separate, second on-screen display on a separate, second screen representing a description of television program from an external storage device. At best, Alexander is consistent with Sampsell in that all of the information is presented in a single guide, rather than two separate guides displayed on separate screens (not separate windows) each superimposed on the displayed program on the given screen (e.g., one "live" guide superimposed on the program from live television and another separate "recorded" guide

superimposed on the television program being reproduced and transmitted by an external storage device). Compare Fig. 2 (live guide) with Fig. 5 ("under reproduction" guide) of the present application, where a guide is displayed over the picture of the program (Fig. 2) a second, separate guide is displayed over the reproduced picture (Fig. 5).

As to independent claim 21 (and dependent claim 12), Applicants note that since neither Sampsell nor Alexander disclose separate on-screen displays superimposed on the received television program and the program sent from the external storage device, neither discloses, suggests or teaches, alone or in combination, the use of indicia elements to distinguish between the different on-screen displays. (See, e.g., application, p. 14, lines 8-19.)

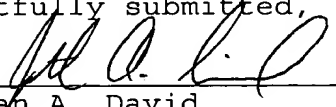
Accordingly, applicants submit that the present claims are neither anticipated nor rendered obvious by Sampsell and Alexander and therefore respectfully request that a notice of allowance be issued with respect to the pending claims.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, he is respectfully requested to telephone applicants' attorney at (908) 654-5000 in order to overcome any additional objections that he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: December 7, 2004

Respectfully submitted,

By 
Jonathan A. David
Registration No.: 36,494
(908) 654-5000
Attorneys for Applicants